

POINT I

Constitutional Statutes 113-13, 14, 15, 16, 17, 18, 1 Failure to constitute a Speedy Trial on the Right Time should be deemed AS ERROR.

The Failure to have A Trial in this manner within six months to a year and not after two years, I object that the hearing is not done right. I object they did not follow the proper procedure for a Speedy Trial. This was error so I object, that the trial commence at the beginning and not at the end of the hearing.

Washington v. Arkansas, Arkansas v. The Board of Education and The Board of Education v. Damiano Edwards.

POINT II

Cons. Statutes 113, 789, 911, 2, 13, 15, 16, 2, 5, Failure to object to a written waiver in court constitute error by denying client his right to testify. I object that the waiver was in error by not objecting? Every one has a constitutional right to testify and it can't be taken away. It would be unconstitutional in this case if it is. I object the court was in error by allowing a written waiver not to testify, such a waiver was damaging to the client's trial and the Constitutional Record. He wasn't afforded his constitutional rights. I also object when the client wanted to testify, he couldn't because of such a waiver by the attorney not objecting did not preserve the right of the client making me ineffective and, Mrs. representing his client rights.

POINT III

Cons. Statute 113-13, 14, 15, 16, 17, 18: THE BALISTICS REPORT proved ~~THAT~~ THE shell casing may OF ~~BEEN~~ TESTED, but wasn't ANY finger print ON THE shells. NO weapon was found you cannot be charged for weapon in second and third degree. You can only be charged AND charged AS THRO' AN FORTH degree THEN FIFTH degree. I object THE weapon ~~IS~~ A Factor in A murder case in THIS case especially. There was no weapon found I object I object to the weapons charge. Washington v. Ackens ~~AS~~, Ackens ~~AS~~ v. THE BOARD OF EDUCATION, THE BOARD OF EDUCATION v. DAMIAN EDWARDS. POINT IV

Cons. Statute 113-13, 14, 15, 16, 17, 18, 19, 20, 21: THE INTEREST OF JUSTICE Flight played a major role IN Damaging THE jury's mind. Papers clearly show ~~THAT~~ I intended to ~~leave~~ THE country before the incident, THE DAMAGING INFERENCE occurred when it wasn't explained to THE jury AND should OF BEEN explained to THE jury. I object ~~THAT~~ IF explained THE VIEWING OF THE incident AND THE OUT COME would be DIFFERENT THERE WERE NO PROOF TO ESTABLISH Flight except TO THE client ~~leaving~~ THE country FOR ALIEN documents legal status which doesn't establish Flight, AND only LEAVE THE way TO believe guilty BECAUSE OF Flight. I object because MY Attorney object AND MADE HIMSELF INEFFECTIVE AND ALSO MISREPRESENTED HIS client.

when you file FOR RESIDENTIAL ALIEN PAPERS you sometimes have TO leave the country I object because you must leave the country, so Flight should be looked at in the interest of justice Washington v. Ackens ~~AS~~, Ackens ~~AS~~ v. THE BOARD OF EDUCATION THE BOARD OF EDUCATION v. DAMIAN EDWARDS People v. Damian EDWARDS

POINT V

Cons. Statute 813, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, In The Interest of Justice Hereby Evidence should be presented. The individual was alive when he was asked also as to whether he was important and dangerous to the trial. It should not be deemed as harassment because he spoke of a different shooter so did she and they may or may not be the same shooter. I object they refuse to use evidence because a week prior evidence I object the missing material order should be used to preserve her testimony and if she doesn't present her previous testimony should be read to the jury. I object that the jury's failure to preserve the witness was a misrepresentation on his part. I cannot be deemed as harassment. Washington v. Arkansas, Arkansas v. The Board of Education, The Board of Education v. Darman Edwards.

POINT VI

Constitutional Statute 113 - 13

In March of 1985 and 1989 Tray Washington which is also known as Tray Livingston recalled his testimony in previous hearing under 85A1395 and 89A1395 and purged himself on the stand to establish a motive in Washington and Brooklyn County. He had a pending case so he had motive he didn't want to go to prison so he testified.

① prong: Flight wasn't establish when you had a record of documents showing that you left the country with intent to come back based on facts

② prong: Flight wasn't establish when the record shows that he left for legal residency paper work, that was also confiscated at the airport. which clearly shows that there wasn't any flight because of leave to obtained legal residential documents. My passport proves that I had intended to leave the country before the alleged incident

③ prong: My Constitutional Right was violated in giving the jury the incident charging with flight may have and could of sway the jury to coming back with a guilty verdict which in this case was true if flight wasn't introduced the jury could of come back with a different verdict

④ prong:

when the judge introduced a written waiver not to testify and my lawyer didn't object to the waiver violated my constitutional rights to testify my lawyer misrepresented me when he didn't object to flight being introduced and the waiver not to testify every one has a right to testify and the inference to flight was improper

(5) Prong 3: THE SPEEDY TRIAL ERROR my lawyer
 should OF OBJECT TO THERE WAS TWO YEARS PRIOR
 TO THE SIX MONTHS HAD THEY HAD GIVEN ENOUGH
 TIME THE PAPERS TO PROVE IT WASN'T FLIGHT
 AND TO OBTAIN A MISSING WITNESS. MY CONSTITUTIONAL
 AND ENLIGHTENED RIGHTS WAS VIOLATED THEY VIOLATED
 THE CONSTITUTION BY A SPEEDY TRIAL ORDER
 AND A WAIVER NOT TO TESTIFY

(6) Prong 4: Bulistics Report HAD NO FINGER PRINT ON
 THE SHELL CASINGS THE CONSTITUTION WAS VIOLATED WHEN
 THEY CHARGE IN SECOND AND THIRD DEGREE MY LAWYER
 FAILED TO OBJECT CAUSED ME TO BE OVER CHARGED
 BY THE JURY. FLIGHT CAUSED GRATE INTERFERENCE IN THE
 JURY'S DECISION AND ALL OF THIS BEEN POINTED OUT
 THE OUT COME WOULD OF BEEN DIFFERENT
 IN THE INTEREST OF JUSTICE, I ASK THE COURT
 TO RECONSIDER THE JURY'S DECISION AND HERE
 BY GRANT A DISMISSAL OF THE RENDERED VERDICT
 AND DISMISS THE INDICTMENT BASED ON THESE
 MITIGATING CIRCUMSTANCES AND FACTS MY LAWYER ALSO
 MISREPRESENTED BY NOT OBJECTING TO THESE ISSUES WHICH
 COULDN'T BE DEEMED AS TRIAL STRATEGY THE COURT ERROR
 BY NOT LETTING ME TESTIFY AND DIDN'T UPHOLD THE
 CONSTITUTION FLIGHT WHICH MAY OF SWAYED THE JURY
 TO A GUILTY VERDICT SHOULD OF BEEN OBJECTED TO
 AND NOT USED, ~~THE~~ PAPERS PROVE THERE WERE
 NO FLIGHT I HERE BY ASK FOR A COMPLETE DISMISSAL
 OF THE INDICTMENT

Key 5:3

ON 2006 THE FIRST ~~REMENT~~ OVER
 OBJECTION CASE WAS DISMISSED BASED ON
 INSUFFICIENT FACTS THERE WERE NOT SUFFICIENT FACTS
 TO ESTABLISH ANY MENTAL ILLNESS AS A RESULT
 TO USE THE HISTORY AND THE TIMES SENT THERE
 WOULD BE WRONG TO BE USED. YOU CANNOT USE
 A HISTORY THAT WAS DISMISSED TO ESTABLISH A
 RECORD AFTER IT WAS ALREADY DISMISSED
 THE SECOND HISTORY WAS BASED ON THE FIRST
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 AS WELL. YOU CAN'T USE A DISMISSED TRIAL TO
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 WASHINGTON V. ARKANSAS ARKANSAS V. THE BOARD OF EDUCATION
 THE BOARD OF EDUCATION V. DAMIAN EDWARDS

Key 5:3-13

IN THE INTEREST OF JUSTICE I
 WOULD HERE BY MOVE AND ASK THAT THE
 MENTAL HEALTH RECORD BE DISMISSED BASED ON
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 FIRST RECORD THAT WAS CHALLENGED IN COURT
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 TO ESTABLISH PROOF THEY LOOKED BACK AND BEHIND
 THEY DIDNT PROVE THERE CASE OF GUILT
 I WOULD BY ASK IT BE DISMISSED AND TROWN OUT
 WASHINGTON V. ARKANSAS ARKANSAS V. THE BOARD
 OF EDUCATION THE BOARD OF EDUCATION V.
 DAMIAN EDWARDS

criminal procedure law 507

On the interest of justice I object that I was harassed and treated I will not get out of prison I will not make parole

I object to verbal threats and physical harassment done by staff.

I object to the mental health referral what was the reason for the infraction Washington v. Arkansas

503

They violated the Constitution and the judges order when they increased the incarceration dosage also by instituting an infraction; they violated the judges order, stating the judge was unspecific about his decision. If the judge was unspecific about his decision you should of call to find out what the order was or have the patient return to court to get the order correct.

I object to the action that was took they should of verify with the court.

I object based on mitigating facts they should not of violated the oral order by the court.

I object that the lawyer prejudice my rights on a previous hearing and denied my rights to appeal also the lawyer in the previous hearing also the attorney before that acquitted me of any mental illness in the previous hearing and they used that record to establish the second third record. How can you use a history that was dismissed to establish a mental history?

People v. Damian Edwards, Washington v. Arkansas, Arkansas v. The Board of Education, The Board of Education v. Damian Edwards

VERIFICATION

State of New York)
County of DUTCHESS) ss.:

DANIEL EDWARDS Being duly sworn
says I am the above PETITIONER above
named; I have read the foregoing petition
against the State of New York and know
its content's; The same is true to my
knowledge except as the matter therein
stated to be alleged on information and
belief, and as to those matters I believe
it to be true.

Respectfully Subscribed
AND SUBSCRIBED TO BEFORE ME (Signature)
THIS 16 DAY OF SEPTEMBER 2019

Carlton Joseph Good
Notary Public

Carlton Joseph Good
Notary Public, State of New York
Qualified in Dutchess County

No. 01000047386
Commission Expires August 28, 2019

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
DAMIAN EDWARDS,

~~WILLIAM~~ PETITIONER,

AGAINST

THE STATE OF NEW YORK

William Conolly, Superintendent
DEFENDANT.

STATE OF NEW YORK) ss:
County of Dutchess)

POOR PERSONS'
MOTION

PETITIONER DAMIAN EDWARDS ~~BEING~~ BEING DULY
SWORN DEPOSES AND SAYS:

- (1) I AM THE PETITIONER IN THE ABOVE CAPTIONED
MATTER PROCEEDING PRO SE.
- (2) I MAKE THIS AFFIDAVIT IN SUPPORT OF AN
APPLICATION FOR A REDUCTION OF THE FILING FEES
PURSUANT TO AND FOR ASSIGNMENT OF COUNSEL
AND OTHER RELATED RELIEF PURSUANT TO
- (3) I AM CURRENTLY IN THE CUSTODY OF NEW YORK
STATE DEPARTMENT OF CORRECTIONS AT FISHKILL
CORRECTIONAL FACILITY
- (4) I EARN ABOUT \$10:00 BY MONTH AS AN
INCENTIVE ALLOWANCE
- (5) I HAVE NO OTHER MONEY, STOCKS BONDS OR
OTHER SOURCE OF INCOME
- (6) I AM NOT ABLE TO PAY THE FILING FEES
NECESSARY TO PROSECUTE THIS MATTER

⑦ NO OTHER PERSON HAS A BENEFICIAL INTEREST IN THE OUT COME OF THIS MATTER

⑧ THE FACT OF MY CASE ARE DESCRIBED IN MY PETITION AND OTHER PAPERS FILED WITH THE COURT.

⑨ I HAVE NOT MADE ANY PRIOR APPLICATION FOR THE RELIEF REQUESTED.

WHEREFORE, I RESPECTFULLY REQUESTED THAT AN ORDER BE ISSUED GRANTING THE PETITIONER A REDUCED FILING FEE AND FOR SUCH OTHER AND FURTHER RELIEF AS THE COURT MAY DEEM JUST AND PROPER

X

RESPECTFULLY SUBMITTED
 State of New York) DAMIAN EDWARDS ISAIAH
 County of Dutchess) ss: FISH KILL CORR FACILITY
 Box 1245

SUBSCRIBED AND SWORN TO BE ME BAXON N.Y. 12506

THIS 16 DAY OF September 2010

Orwell Jr

NOTARY PUBLIC

Carlton Joseph Good
 Notary Public, State of New York

Qualified in Dutchess County

No. 01505047986

Commission Expires August 28, 2014

Commission Expires August 28, 2014

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DANIEL EDWARDS PETITIONER

V. ~~THE STATE OF NEW YORK~~

STATE OF NEW YORK
William Connolly, Superintendent,
DE FENDANT.

- C.V. -

KINGS COUNTY

INDIGENT NUMBER

13960/92

TO HONORABLE MICHAEL A. TELESIA

PLEASE TAKE NOTICE THAT THE UNDERSIGNED
DANIEL EDWARDS INTENDS TO FILE A PETITION IN
FEDERAL COURT AGAINST THE STATE OF NEW YORK
PURSUANT TO THE WESTERN DISTRICT OF NEW YORK

THE POST OFFICE ADDRESS OF PETITIONER
HEREIN

FISHKILL CORRECTIONAL FACILITY

Box 1245

BEACON NEW YORK 12508

THE ABOVE ENTITLED ACTION IS A PRO SE 7 AM.
REPRESENTING MYSELF.

THE TIME WHEN AND PLACE WHERE SUCH
PETITION AROSE AND THE NATURE OF MY PETITION
ARE AS FOLLOWS: _____

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Dominic Edwards

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

Civ. () ()

-against-

William Connelly,
Superintendent,

REQUEST TO PROCEED
IN FORMA PAUPERIS

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

1. DAMIAN EDWARDS, (print or type your name) am the plaintiff/petitioner in the above entitled case and I hereby request to proceed *in forma pauperis* and without being required to prepay fees or costs or give security. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to redress.

1. If you are presently employed:

- a) give the name and address of your employer
b) state the amount of your earnings per month

Fishkill Corr Facility Po Box 1245 Brewster N.Y. 12508
6:50 Every Two Weeks

2. If you are NOT PRESENTLY EMPLOYED:

- a) state the date of start and termination of your last employment
b) state your earnings per month

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

No Received nothing
a) Are you receiving any public benefits? ☒ No. ☐ Yes, \$ _____.
b) Do you receive any income from any other source? ☐ No. ☐ Yes, \$ _____.

United States District Court
WESTERN District of New York

PRISONER AUTHORIZATION

Mailed to Plaintiff by the Court on this date: _____

RE: DANIEL EDWARDS - v - STATE OF New York
(Enter the full name of the plaintiff(s).) (Enter the full name of the defendant(s).)

NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THIS COURT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS NOTICE.

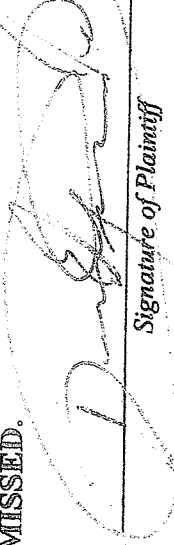
The Prison Litigation Reform Act ("PLRA" or "Act") amends the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under the PLRA, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, DANIEL EDWARDS (print or type your name), request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

9/24, 2010
Date Signed


Signature of Plaintiff

N.Y.S.I.D. # _____

Local Jail/Facility I.D. # 95A1395

Federal Bureau of Prisons I.D. # _____

4. Do you have any money, including any money in a checking or savings account? If so, how much?

☒ No. ☐ Yes, \$ _____.

5. Do you own any apartment, house, or building, stock, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No. ☐ Yes, \$ _____.

6. Do you pay for rent or for a mortgage? If so, how much each month?

☒ No. ☐ Yes, _____.

7. List the person(s) that you pay money to support and the amount you pay each month.

NO

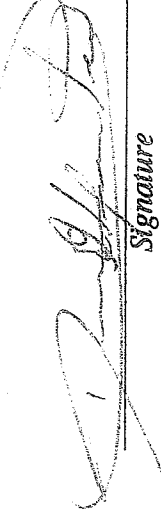
8. State any special financial circumstances which the Court should consider.

NONE

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24 day of September, 2010.
date month year



Signature

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) S.S.:
COUNTY OF DUTCHESS)

DAMIAN EDWARDS, being duly sworn, deposes and states:
95A1395

1. I am over the age of 18 and reside at Fishkill Correctional Facility, P.O. Box 1245, Beacon, New York 12508-8245.

2. On OCTOBER, 2010 I served the within: HABEAS CORPUS II S.C.A.

TITLE 28, SECTION 2254

upon: ANDREW M. CUOMO
ATTORNEY GENERAL
THE CAPITOL
ALBANY, NEW YORK 12224-0341

MARK BRADT
SUPERINTENDENT
ELMIRA CORR. FACILITY
1879 DAVIS STREET
P.O. BOX 500
ELMIRA, NEW YORK 14902-0500

at the following address:

by depositing a true copy of the within in a post paid properly addressed wrapper, in an official depository under the exclusive care and custody of the Department of Correctional Services of New York.

SWORN TO BEFORE ME THIS 20

DAY OF OCTOBER, 20 10

Courtney Denniston
NOTARY PUBLIC

COURTNEY DENNISTON
Notary Public, State of New York
No. 01DE6120363
Qualified in Orange County
Commission Expires 01/14/2012

Damian Edwards
DAMIAN EDWARDS, PETITIONER PRO SE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DAMIAN EDWARDS PETITIONER

v. ~~STATE OF NEW YORK~~

STATE OF NEW YORK
William Connolly, Superintendent,
DEFENDANT.

- C.V. -

KINGS COUNTY
INDJMENT NUMBER

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Cons. Statute 113-13, 14, 15, 16, 17, 18, 19 IN THE INTEREST OF JUSTICE FLIGHT PLAYED A MAJOR ROLE IN DAMAGING THE JURY'S MIND. PAPERS CLEARLY SHOW ~~THAT~~ I INTENDED TO LEAVE THE COUNTRY BEFORE THE INCIDENT, THE DAMAGING INFERENCE OCCURRED WHEN IT WASN'T EXPLAINED TO THE JURY AND SHOULD OF BEEN EXPLAINED TO THE JURY. I OBJECT ~~THAT~~ IF EXPLAINED THE VIEWING OF THE INCIDENT AND THE OUT COME WOULD BE DIFFERENT. THERE WERE NO PROOF TO ESTABLISH FLIGHT EXCEPT TO THE CLIENT LEAVING THE COUNTRY FOR ALIEN DOCUMENTS LEGAL STATUS WHICH DOESN'T ESTABLISH FLIGHT, AND ONLY LEAVE THE JURY TO BELIEVE GUILTY BECAUSE OF FLIGHT. I OBJECT BECAUSE MY ATTORNEY OBJECT AND MADE HIMSELF INEFFECTIVE AND ALSO MISREPRESENTED THIS CLIENT.

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Key 5:8

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People v. Damian Cousins, Washington v. Arkansas, Arkansas v. The Board of Education, The Board of Education v. Damian Cousins

VERIFICATION

State of New York, ss:
County of DUTCHESS)

DANIEL EDWARDS Being duly sworn
says I am the Above PETITIONER Above
Name; I have Read the foregoing petition
Against the State of New York and know
its Content's; The Same is True to my
knowledge except as the matter therein
stated to be ALLEGED INFORMATION and
belief, and as to those matters I believe
IT TO BE TRUE.

RESPECTFULLY SUBMITTED
SWORN AND SUBSCRIBED TO before me (Signature)

This 16 Day of Sept 2010

Carlton Joseph Good

Notary Public

Carlton Joseph Good
Notary Public, State of New York
Qualified in Dutchess County
No. 01006047386

Commission Expires August 28, 2014

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
DAMIAN EDWARDS,

~~WILLIAM CONNOLLY~~ PETITIONER,

AGAINST

POOR PERSON'S

THE STATE OF NEW YORK

MOTION

William Connolly, Superintendent
DEFENDANT.

STATE OF NEW YORK)
County of Dutchess) S.S.:

PETITIONER DAMIAN EDWARDS ~~BEING~~ BEING DULY
SWORN DEPOSES AND SAYS:

(1) I AM THE PETITIONER IN THE ABOVE CAPTIONED
MATTER PROCEEDING PRO SE.

(2) I MAKE THIS AFFIDAVIT IN SUPPORT OF AN
APPLICATION FOR A REDUCTION OF THE FILING FEES
PURSUANT TO AND FOR ASSIGNMENT OF COUNSEL
AND OTHER RELATED RELIEF PURSUANT TO

(3) I AM CURRENTLY IN THE CUSTODY OF NEW YORK
STATE DEPARTMENT OF CORRECTIONS AT FISHKILL
CORRECTIONAL FACILITY

(4) I EARN ABOUT \$10:00 BY MONTH AS AN
INCENTIVE ALLOWANCE

(5) I HAVE NO OTHER MONEY, STOCKS BONDS OR
OTHER SOURCE OF INCOME

(6) I AM NOT ABLE TO PAY THE FILING FEES
NECESSARY TO PROSECUTE THIS MATTER

(7) NO OTHER PERSON HAS A BENEFICIAL INTEREST IN THE OUT COME OF THIS MATTER

(8) THE FACT OF MY CASE ARE DESCRIBED IN MY PETITION AND OTHER PAPERS FILED WITH THE COURT.

(9) I HAVE NOT MADE ANY PRIOR APPLICATION FOR THE RELIEF REQUESTED.

WHEREFORE, I RESPECTFULLY REQUESTED THAT AN ORDER BE ISSUED GRANTING THE PETITIONER A REDUCED FILING FEE AND FOR SUCH OTHER AND FURTHER RELIEF AS THE COURT MAY DEEM JUST AND PROPER

X RESPECTFULLY SUBMITTED
 STATE of New York,) DAMIAN TOWARDS 95A1385
 County of Dutchess,) ss.: FISH KILL CORR FACILITY
 Box 1245

SUBSCRIBED AND SWORN TO BE ME BEACON N.Y 12508

THIS 16 DAY OF September 2010

awmlls for

NOTARY PUBLIC

Canton Joseph Good
 Notary Public, State of New York

Qualified in Dutchess County

No. 01600047986

Commission Expires August 28, 2014

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Dominic Edwards

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

William Connelly
Superintendent,

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

___ Civ. ___ () ()

REQUEST TO PROCEED
IN FORMA PAUPERIS

I, DAMIAN EDWARDS, (print or type your name) am the plaintiff/petitioner in the above entitled case and I hereby request to proceed *in forma pauperis* and without being required to prepay fees or costs or give security. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to redress.

1. If you are presently employed:

- a) give the name and address of your employer
b) state the amount of your earnings per month

Fishkill Corr Facility Po Box 1245 Beacon N.Y. 12508
6:50 Every Two weeks

2. If you are NOT PRESENTLY EMPLOYED:

- a) state the date of start and termination of your last employment
b) state your earnings per month

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

No Received nothing

a) Are you receiving any public benefits? ☒ No. ☐ Yes, \$ ____.

b) Do you receive any income from any other source? ☐ No. ☐ Yes, \$ ____.

United States District Court
SOUTHERN District of New York

PRISONER AUTHORIZATION

Mailed to Plaintiff by the Court on this date: _____

RE: DANIEL EDWARDS - v - STATE OF New York
(Enter the full name of the plaintiff(s).) (Enter the full name of the defendant(s).)

NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THIS COURT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS NOTICE.

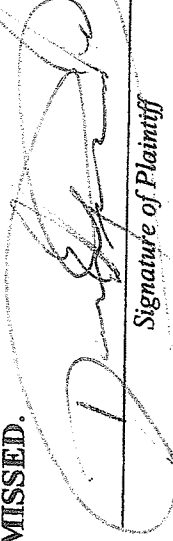
The Prison Litigation Reform Act ("PLRA" or "Act") amends the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under the PLRA, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, Daniel Edwards (print or type your name), request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

9/24, 2010
Date Signed


Signature of Plaintiff

N.Y.S.I.D. # _____

Local Jail/Facility I.D. # 95A1395

Federal Bureau of Prisons I.D. # _____

4. Do you have any money, including any money in a checking or savings account? If so, how much?

☒ No. ☐ Yes, \$ _____.

5. Do you own any apartment, house, or building, stock, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No. ☐ Yes, \$ _____.

6. Do you pay for rent or for a mortgage? If so, how much each month?

☒ No. ☐ Yes, _____.

7. List the person(s) that you pay money to support and the amount you pay each month.

NO

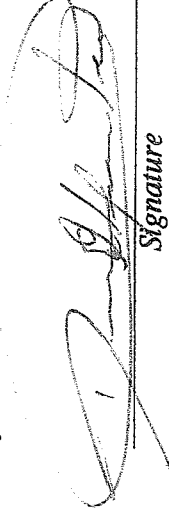
8. State any special financial circumstances which the Court should consider.

NONE

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24 day of September, 2010.
date month year



Signature